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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,962	03/22/2001	Ikuko Tachibana	1614.1148/HJS	2846
21171	7590	08/13/2004	EXAMINER	
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			FAROOQ, MOHAMMAD O	
			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/813,962	<b>Applicant(s)</b> TACHIBANA ET AL.	
	<b>Examiner</b> Mohammad O. Farooq	<b>Art Unit</b> 2182	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 March 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-11 and 14-17 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 12 and 13 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

*[Signature]*  
**FRITZ FLEMING**  
**PRIMARY EXAMINER**  
**GROUP 2100**

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 2,3,5,8-11, 15-17 are rejected under 35 U.S.C. 102(e) as being

anticipated by Sitaraman et al., U.S. Pat. No. 6,427,170 B1.

2. As to claim 2, Sitaraman et al. teach apparatus comprising:

an obtaining part which obtains configuration information of terminals sent from said terminal (i.e. user information; col. 9, lines 57-67);

a storing part which stores the newest configuration information of each terminal obtained by said obtaining part (col. 9, lines 48-67);

a generation part which identifies terminals to which resources are distributed (i.e. published) on the basis of said resources (e.g. IP addresses) and configuration information stored in said storing part, and generates a list describing correspondence between said resources and said terminals to which said resources are distributed (col. 19, lines 3-62); and

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a distribution part which distributes said resources described in said list to said terminals described in said list (col. 19, lines 3-62).

3. As to claim 3, Sitaraman et al. teach apparatus wherein said distribution part sends a part pertinent to a terminal in said list to said terminal (col. 19, lines 38-42).

4. As to claim 5, Sitaraman et al. teach apparatus further comprising:

an issuing part which issues, to a terminal, an instruction for said terminal to send configuration information when a configuration information ID sent from said terminal is not the same as the newest configuration information ID which is stored in said storing part (i.e. receives latest information; col. 19, lines 30-41); and

wherein said first obtaining part obtains configuration information sent in response to said instruction (col. 9, lines 48-67).

5. As to claim 8, Sitaraman et al. teach apparatus comprising:

an input part which inputs user information (col. 12, lines 1-13) ;

a collection part which collects apparatus information of said terminal and configuration information of said terminal when said input part inputs said user information (col. 9, lines 23-56; col. 11, lines 30-67); and

a send part which sends said apparatus information and said configuration information, and said user information to said remote maintenance apparatus while maintaining correspondences of said apparatus information, said configuration information and said user information (col. 19, lines 3-62; col. 11, lines 30-67).

6. As to claim 9, Sitaraman et al. teach wherein said collection part collects changed configuration information when a configuration of said terminal is changed (i.e. revoke events; col. 9, lines 23-56); and

said send part sends said changed configuration information to said remote maintenance apparatus while bringing said configuration information into correspondence with said apparatus information (col. 9, lines 23-56).

7. As to claim 10, Sitaraman et al. teach wherein said collection part collects configuration information when a configuration information ID stored (e.g. IP addresses) in said terminal is not the same as a configuration information ID stored in said remote maintenance apparatus (i.e. receives latest information; col. 19, lines 30-41); and

said send part sends said configuration information collected at this time to said remote maintenance apparatus while bringing said configuration information into correspondence with said apparatus information (col. 19, lines 1-62).

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8. As to claim 11, Sitaraman et al. teach apparatus comprising:

an obtaining part which obtains resources distributed from said remote maintenance apparatus (i.e. user information; col. 9, lines 57-67);

a setting part which sets said resources in an application waiting state (via a timer; col. 19, lines 22-33) or in an immediate execution state (i.e. log-out state; col. 19, lines 1-6);

a control part which executes said resources when conditions for releasing said application waiting state is satisfied or when said resources are set in said immediate execution state (col. 19, lines 22-33; col. 19, lines 1-12).

9. As to claim 15, Sitaraman et al. teach computer readable medium comprising:

an obtaining program code means which obtains configuration information of terminals sent from said terminals (i.e. user information; col. 9, lines 57-67);

a program code means which accesses a storing part which stores the newest configuration information of each terminal obtained by said obtaining program code means (col. 9, lines 48-67);

a generation program code means which identifies terminals to which resources are distributed (i.e. published) on the basis of said resources (e.g. IP addresses) and configuration information stored in said storing part, and generates a list describing correspondence between said resources and said terminals to which said resources are distributed (col. 19, lines 3-62); and

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a distribution program code means which distributes said resources described in said list to said terminals described in said list (col. 19, lines 3-62).

10. As to claim 16, Sitaraman et al. teach computer readable medium comprising:

an input program code means which inputs user information (col. 12, lines 1-13) ;

a collection program code means which collects apparatus information of said terminal and configuration information of said terminal when said input part inputs said user information (col. 9, lines 23-56; col. 11, lines 30-67); and

a send program code means which sends said apparatus information and said configuration information, and said user information to said remote maintenance apparatus while maintaining correspondences of said apparatus information, said configuration information and said user information (col. 19, lines 3-62; col. 11, lines 30-67).

11. As to claim 17, Sitaraman et al. teach computer readable medium comprising:

an obtaining program code means which obtains resources distributed from said remote maintenance apparatus (i.e. user information; col. 9, lines 57-67);



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a setting program code means which sets said resources in an application waiting state (via a timer; col. 19, lines 22-33) or in an immediate execution state (i.e. log-out state; col. 19, lines 1-6);

a control program code means which executes said resources when conditions for releasing said application waiting state is satisfied or when said resources are set in said immediate execution state (col. 19, lines 22-33; col. 19, lines 1-12).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1, 4, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sitaraman et al., U.S. Pat. No. 6,427,170 B1, in view of Opoczynski, U.S. Pat. No. 5,655,068 further in view of Tonelli et al., U.S. Pat. No. 6,229,540 B1.

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13. As to claim 1, Sitaraman et al. teach apparatus comprising:

a first obtaining part which obtains configuration information of terminals sent from said terminal (i.e. user information; col. 9, lines 57-67); and

a storing part which stores said configuration information obtained by said first obtaining part while bringing said configuration information into correspondence with generation information (i.e. database for the system; col. 9, lines 48-67).

Sitaraman et al. do not teach a second obtaining part which obtains configuration information of a failed terminal which is associated with failure information which is sent from said failed terminal, or, which obtains configuration information of said failed terminal by identifying the newest configuration information of said failed terminal which is stored in said storing part.

Opoczynski teaches a second obtaining part which obtains configuration information of a failed terminal which is associated with failure information which is sent from said failed terminal, or, which obtains configuration information of said failed terminal by identifying the newest configuration information of said failed terminal which is stored in said storing part (abstract; col. 4, line 44 – col. 5, line 5). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Sitaraman et al. and Opoczynski because that would initiate facility and maintenance procedures (col. 2, lines 40-58).

Neither Sitaraman et al. nor Opoczynski teach an extraction part which extracts difference information between configuration information obtained by said second obtaining part and configuration information stored in said storing part. Tonelli et al. teach an extraction part which extracts difference information between configuration information obtained by said second obtaining part and configuration information stored in said storing part (col. 22, lines 8-29; col. 4, lines 28-45). However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Sitaraman et al. and Opoczynski with Tonelli et al. because that would provide addition or removal of information from configurations for design purpose (col. 2, lines 50-59).

14. As to claim 4, Sitaraman et al. teach apparatus further comprising:

an issuing part which issues, to a terminal, an instruction for said terminal to send configuration information when a configuration information ID sent from said terminal is not the same as the newest configuration information ID which is stored in said storing part (i.e. receives latest information; col. 19, lines 30-41); and

wherein said first obtaining part obtains configuration information sent in response to said instruction (col. 9, lines 48-67).

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15. As to claim 14, Sitaraman et al. teach computer readable medium comprising:

a first obtaining program code means which obtains configuration information of terminals sent from said terminals (i.e. user information; col. 9, lines 57-67); and

a program code means which accesses a storing part which stores said configuration information obtained by said first obtaining part while bringing said configuration information into correspondence with generation information (i.e. database for the system; col. 9, lines 48-67).

Sitaraman et al. do not teach a second obtaining program code means which obtains configuration information of a failed terminal which is associated with failure information which is sent from said failed terminal, or, which obtains configuration information of said failed terminal by identifying the newest configuration information of said failed terminal which is stored in said storing part. Opoczynski teaches a second obtaining program code means which obtains configuration information of a failed terminal which is associated with failure information which is sent from said failed terminal, or, which obtains configuration information of said failed terminal by identifying the newest configuration information of said failed terminal which is stored in said storing part (abstract; col. 4, line 44 – col. 5, line 5). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Sitaraman et al. and Opoczynski because that would initiate facility and maintenance procedures (col. 2, lines 40-58).

Neither Sitaraman et al. nor Opoczynski teach an extraction program code means which extracts difference information between configuration information obtained by said second obtaining part and configuration information stored in said storing part. Tonelli et al. teach an extraction program code means which extracts difference information between configuration information obtained by said second obtaining part and configuration information stored in said storing part (col. 22, lines 8-29; col. 4, lines 28-45). However, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the combination of Sitaraman et al. and Opoczynski with Tonelli et al. because that would provide addition or removal of information from configurations for design purpose (col. 2, lines 50-59).

***Allowable Subject Matter***

16. Claims 6,7, 12, and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

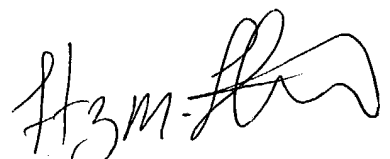
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17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad O. Farooq whose telephone number is (703) 305-3888. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mohammad O. Farooq  
August 6, 2004

  
FRITZ FLEMING  
PRIMARY EXAMINER  
GROUP 2100